



United States
Department of
Agriculture

Finding of No Significant Impact and Decision for Predator Damage Management in Nevada

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Wildlife
Services

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The United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA-APHIS), Wildlife Services (WS) program responds to requests for assistance from individuals, organizations and agencies experiencing damage caused by wildlife in Nevada. Wildlife Services activities are conducted in cooperation with other federal, state, and local agencies, as well as private organizations and individuals. Wildlife Services cooperates with and supervises the Nevada Department of Agriculture's Division of Resource Protection (DRP). The two entities, WS and DRP, form the Nevada Wildlife Services Program (NWSP).

Nevada Wildlife Services Program prepared an environmental assessment (EA) to comply with APHIS NEPA implementing regulations and interagency agreements, facilitate planning and interagency coordination, streamline program management, and involve the public in a proposal to manage damage by predatory animals in Nevada. The proposed action in the EA is a continuation of NWSP's current predator damage management (PDM) program in the State of Nevada for the protection of livestock, crops, property, human health and safety, and natural resources, with a greater emphasis on protection of game species including sage-grouse (*Centrocercus urophasianus*), Rocky mountain bighorn sheep (*Ovis canadensis canadensis*), California bighorn sheep (*O. canadensis*), desert bighorn sheep (*O. canadensis nelsoni*) pronghorn antelope (*Antilocapra Americana*), Rocky Mountain elk (*Cervus elaphus nelsoni*) and mule deer (*Odocoileus hemionus*).

As noted in the final EA, this Finding of No Significant Impact and Decision update and supersede NWSP's 1999 and 2004 NEPA decision on its predator damage management program.

Public Involvement

Following interagency review and discussions, a pre-decision EA was prepared and released to the public for a 30-day comment period. Public notification of the availability of the pre-decision EA was mailed to groups and individuals who were thought to be interested in the program. A notice was published in the Nevada Appeal from November 30th through December 2nd, 2010, and a notice, along with the pre-decision EA, was posted on the Wildlife Services website: www.aphis.usda.gov/regulations/ws/ws_nepa_environmental_documents.shtml.

Public comments were received on a variety of topics representing diverse viewpoints. A summary of the comments and our responses are attached as Appendix A. Some comments resulted in changes to the EA which warranted our issuing a final EA. Revisions made as a result of the public comments, along with other changes made to clarify or improve the document are shown in the EA as redline and strikeout



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text. Minor editorial revisions are not shown.

A notice of the availability of this Finding of No Significant Impact (FONSI) and Decision is being sent to all persons who mailed written comments on the pre-decision EA. Notices will also be placed in the Nevada Appeal, and on the Wildlife Services website. The final EA and this decision are available by visiting the Wildlife Services website at the address indicated above, or by contacting the NWSP office.

Major Issues

NWSP, other agencies, and the public contributed to identifying a variety of environmental issues deemed relevant to the scope of this EA. These issues were consolidated into the following seven primary issues and were considered in detail in the EA. Chapter 2 contains definitions of the issues as well as discussions of issues that were not considered in detail.

Effects on the biological environment

- Effects on Target Predator Species Populations
- Effects on Non-target Species Populations, Including threatened and endangered (T&E) Species

Effects on the physical environment

- Impacts on Special Management Areas (such as Wilderness Study Areas)

Effects on the socioeconomic environment

- Humaneness and Ethical Perspectives
- Effects on Recreation (hunting and nonconsumptive uses)
- Cost Effectiveness

Effects on public health and safety

- Impacts on Public Safety and the Environment (e.g., effects of toxicants and hazardous materials)

Alternatives Analyzed in Detail

The EA evaluated five alternatives including a proposed action to continue the current PDM program with a greater emphasis on sage grouse and big game protection, and less emphasis on livestock protection. The alternatives are defined in detail in Chapter 3 of the EA and are summarized below. The EA at Chapter 4 contains the evaluation of the environmental effects of each alternative on each of the identified environmental issues. The following summary provides a brief description of each alternative and its anticipated impacts. Table 18 in the final EA presents a summary and comparison of the environmental consequences of each of the alternatives for each environmental issue.

Alternative 1 Continue the Current Federal PDM Program. This is the current NWSP program. It is also the “No Action” alternative as defined by the Council on Environmental

Quality for ongoing programs. The current program is an integrated predator damage management program whereby a full range of legally available nonlethal and lethal approaches, including education and advice (Appendix B in the final EA), are available to resolve conflicts with predatory animals when public or private entities request assistance. The current program's emphasis is on protection of livestock from predation, however, the program also provides assistance to natural resource management agencies to protect wildlife from predation, and to respond to predator threats to human safety and health. Agricultural crops and property protection are also included in the scope of actions.

Alternative 2 No Federal PDM. 3.2.2 Alternative 2 No Federal NWSP PDM

This alternative consists of no Federal involvement in PDM activities in Nevada. Neither direct operational management nor technical assistance would be provided by the Federal members (WS) of NWSP. Under this alternative, wildlife damage conflicts would be addressed by NDOW, private resource owners and managers, private contractors, or other government agencies. If WS chooses to not provide the PDM services that NWSP feels are necessary, the State would likely rescind the Federal management of that program, and the Nevada Department of Agriculture would probably handle agriculture related PDM complaints. NDOW would manage predation on game species.

Alternative 3 Nonlethal Management Only

This alternative would allow NWSP to provide technical information and operational assistance with nonlethal control techniques, such as guard dogs, frightening devices, chemical repellents, harassment, fencing, exclusion, animal husbandry, modification of human behavior, habitat modification, and some use of cage traps and immobilization where relocation is an option (as described in Appendix B in the EA). NWSP would also loan equipment used for nonlethal control. Information and training on lethal control methods would not be provided by NWSP.

Alternative 4 Nonlethal Required before Lethal Control

This alternative would require that: 1) permittees, landowners or resource managers show evidence of sustained and ongoing use of nonlethal or husbandry techniques aimed at preventing or reducing predation, prior to receiving the services of NWSP; 2) employees of NWSP use or recommend appropriate nonlethal techniques in response to a confirmed damage situation prior to using lethal methods; and 3) lethal techniques be used only when the use of husbandry or nonlethal techniques had failed to keep livestock losses below an acceptable level as indicated by the cooperator.

Alternative 5 Modified Current Program and Proposed Action. This alternative would be similar to Alternative 1, the current program in all respects except that efforts to manage damage associated with predation on game species including sage grouse, bighorn sheep, mule deer, elk and pronghorn antelope would be likely to increase, while efforts to protect livestock would decrease. Under this alternative, additional requests would be anticipated to come from NDOW where it has determined that predation is limiting productivity of game species.

Summary of Environmental Effects of the Alternatives

Alternative 5, the Proposed Action, and Alternative 1, the Current Program Alternatives are likely to have the lowest cumulative effect on target species since a professional program with Federal oversight and research programs would be expected to remove only those individuals or groups of

depredating animals after nonlethal options have been determined to be ineffective or impractical. Alternatives that inhibit NWSP would be likely to draw upon other public agencies, such as NDRP, or private individuals, but probably also individuals with lesser skills or experience in wildlife damage management. These individuals would be likely to take action and would not be expected to be as selective for target animals. For similar reasons, the non-target species affected would be expected to be the lowest under the Proposed Action and the Current Program Alternatives and the program would not be likely to adversely affect threatened or endangered species. The humane treatment of animals is likely to be highest under these two alternatives, according to perspectives of wildlife professionals, but perhaps not viewed as such by some members of the public who are opposed to predator damage management. Both alternatives would have no notable negative effects on recreation and low risks to public safety from exposure to PDM tools including toxicants. Both alternatives are likely to be effective in resolving damages and have been shown to be cost effective. Finally, coordination with land management agencies would ensure that there would be minimal disturbance and no permanent effects on special management areas.

Under Alternative 2, No Federal Program, NWSP would have no impact on the issues evaluated since there would be no Federal component involved. This alternative would likely result in the greatest overall negative environmental impact since if professional and accountable assistance is not available to resolve livestock or other resource conflicts, the effects of private actions to resolve damages is likely to have increased negative consequences. NDOW would provide PDM to protect game species and would be expected to have the same effects as NWSP. Nevada Revised Statute and Nevada Administrative Codes would require NDOW to perform PDM if NWSP were not available (Appendix C of the EA). Depending upon who implements predation damage controls, the actions of private individuals in the absence of a professionally managed Federal or state program is likely to have a higher negative effect on non-target species, humanness and public safety since individuals may improperly use toxicants or other tools to resolve wildlife damage on their own which may be less selective and less humane than a professional program.

Alternative 3, Nonlethal Methods Only, could affect NWSP's ability to quickly address wildlife threats and damage problems by limiting control actions that could be used. Continued or increased threats to agricultural producers, property owners, and human safety may occur due to the restrictions placed on this management program. The Nonlethal Methods only alternative would not allow NWSP to respond to all wildlife threats quickly or adequately. These alternatives do not fully support the APHIS-WS Directive 2.101, which addresses APHIS-WS policy for applying Integrated Wildlife Damage Management. However, components of this alternative are preferred by NWSP since lethal methods are considered only when non lethal methods have been determined by the wildlife professional to be ineffective, inhumane, not biologically sound, or not economically feasible. This alternative is preferred by some groups and individuals and opposed by others, depending upon their experiences and perspective. This alternative would have no negative consequences on public safety or recreation but would provide little benefit where lethal control is implicated. Where lethal control is necessary to resolve damages, the results would be similar to the no Federal program alternative.

Alternative 4, the Nonlethal Required Before Lethal Methods Alternative would have similar results on most issues (target and nontarget species effects, recreation, public safety and special management areas), because producers are already implementing nonlethal methods on their own, and nonlethal methods are already used or recommended when they are deemed to be practicable. Some people prefer this method from an ethical perspective, whereas others would see this

alternative as an unnecessary delay that can result in increased damages. Overall, the results of this alternative are similar to the current program since nonlethal methods are largely in place, even though no law or policy requires it.

Finding of No Significant Impact

The analysis in the EA indicates that there will not be a significant impact, individually or cumulatively, on the quality of the human environment as a result of this proposed action. I agree with this conclusion and therefore find that an EIS need not be prepared. This determination is based on the following factors:

1. Predator damage management as conducted by NWSP is localized and is not regional or national in scope.
2. The methods used to control predators are target-specific and are not likely to negatively affect public health and safety when used as described in the EA.
3. The proposed activities will not have an impact on unique characteristics of the geographic area such as park lands, prime farmlands, wetlands, wild and scenic rivers, or ecological critical areas. The nature of the methods proposed for alleviating damages are not likely to permanently affect the physical environment.
4. The effects on the quality of the human environment are not highly controversial. Although there is some opposition by some members of the public to the lethal aspects of predator damage management, the actions are not highly controversial among the experts.
5. Based on the analysis documented in the EA, the effects of the proposed activities are not highly uncertain and do not involve unique or unknown risks.
6. The proposed action would not establish a precedent for any future action with significant effects or represent a decision in principle about future considerations.
7. There are no significant cumulative effects identified by this assessment. All wildlife removal will stay within management guidelines set for each species. The impacts on each species when combined with other known sources of mortality are expected to have a low to negligible impact based on the available information.
8. The proposed activities would not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor would they likely cause any loss or destruction of significant scientific, cultural, or historical resources.
9. An evaluation of the proposed action and its effects on threatened and endangered species determined that the proposal would either have no effect, or would not be likely to adversely affect such species.

10. The proposed action would be in compliance with all Federal, State, and local laws imposed for the protection of the environment.
11. There are no irreversible or irretrievable resource commitments identified by this assessment, except for a minor consumption of fossil fuels for routine operations.

Decision

I have carefully reviewed the EA and the input resulting from the public involvement process. I believe the need for action and issues identified in the EA would be best addressed through implementation of Alternative 5, the Proposed Action to implement a modified version of the current PDM program. Alternative 5 is therefore selected because (1) it offers the greatest chance at maximizing effectiveness and benefits to affected resource owners and managers within current program funding constraints; (2) it will maximize selectivity of methods available; (3) it offers a balanced approach to the issue of humaneness, and recreation when all facets of the issue are considered; (4) it will continue to minimize risk or conflicts with the public; (5) it will minimize risks to non-target and T&E species, (6) it will result in low magnitude or negligible effects on predator populations, and (7) it would not result in any significant direct, indirect, or cumulative effects on the human environment. NWSP will continue to use an Integrated Wildlife Damage Management approach which maximizes program effectiveness, while conforming to all relevant laws, regulations, policies, and procedures designed to protect the environment.

For additional information regarding this decision, please contact Mark Jensen, State Director, USDA-APHIS-WS, 8775 Technology Way, Reno, NV 89521, (775) 851-4848.



Jeffrey Green, Regional Director
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6/22/11

Date